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CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

I. INTRODUCTION

1. The item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/86 of 15 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting on 12 October 1995, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely items 57 to 78, 80 and 81. The deliberations on those items took place at the 3rd to 11th meetings, from 16 to 20 and on 25 and 26 October 1995 (see A/C.1/50/PV.3-11). Structured discussions of specific subjects within the adopted thematic approach were held from 30 October to 3 November. Consideration of draft resolutions on those items took place at the 13th to 17th meetings, from 6 to 9 November (see A/C.1/50/PV.11-13). Action on the draft resolutions was taken at the 18th to 29th meetings, on 10, 13-17, 20 and 21 November (see A/C.1/50/PV.18-29).

4. In connection with item 80, the First Committee had before it the following documents:

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(a) Letter dated 8 June 1995 from the Permanent Representative of India to the United Nations addressed to the Secretary-General transmitting the text of the Delhi Declaration issued at the 8th meeting of the Heads of State or Government of the member countries of the South Asian Association for Regional Cooperation, held at New Delhi from 2 to 4 May 1995 (A/50/215-S/1994/475);

(b) Letter dated 26 May 1995 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General transmitting the final document of the Regional Seminar on the National Implementation of the Convention on Chemical Weapons, held at Havana from 14 to 16 March 1995 (A/50/226);

(c) Letter dated 19 June 1995 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General transmitting the final documents of the Summit of major industrialized countries held at Halifax, Canada, from 15 to 17 June 1995 (A/50/254-S/1995/501);

(d) Letter dated 8 September 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General transmitting the Final Declaration of the Ninth Meeting of Heads of State and Government of the Rio Group, held at Quito on 4 and 5 September 1995 (A/50/425-S/1995/787).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.1/50/L.1 and Rev.1

5. At the 11th meeting, on 26 October, the representative of Hungary, on behalf of Argentina, Australia, Belgium, Brazil, Bulgaria, Canada, Denmark, Finland, Germany, Hungary, Iran (Islamic Republic of), Ireland, Italy, the Netherlands, New Zealand, Poland, the Republic of Moldova, Romania, the Russian Federation, South Africa, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction" (A/C.1/50/L.1), which was later also sponsored by Armenia, Cambodia, Colombia, the Czech Republic, France, Greece, Japan, Norway, the Republic of Korea, Spain, Turkey and Ukraine.

6. On 1 November, the representative of Hungary, on behalf of the sponsors, submitted a revised draft resolution (A/C.1/50/L.1/Rev.1), which was later also sponsored by Afghanistan, Albania, Armenia, Austria, Bangladesh, Belarus, Cambodia, Chile, Croatia, Cyprus, Iceland, Indonesia, Jordan, Lithuania, Monaco, Mongolia, Nigeria, Portugal, Singapore and Slovakia.

7. The revised draft resolution contained the following change: in operative paragraph 4, the dates of the Fourth Review Conference and of the Preparatory Committee for the Conference were added.

8. On 15 November, the Secretary-General submitted the programme budget implications (A/C.1/50/L.59) of draft resolution A/C.1/50/L.1/Rev.1.

9. At its 22nd meeting, on 15 November, the Committee adopted draft resolution A/C.1/50/L.1/Rev.1 without a vote (see para. 14).

B. Draft resolution A/C.1/50/L.14

10. At the 15th meeting, on 7 November 1995, the representative of Canada, on behalf of Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liberia, Lithuania, Luxembourg, Mongolia, Nepal, the Netherlands, New Zealand, Niger, Norway, Oman, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Singapore, Slovakia, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (A/C.1/50/L.14), which was later also sponsored by Afghanistan, Belarus, Cape Verde, Chile, Croatia, Cyprus, Latvia, Monaco and Peru. The draft resolution read as follows:

"Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

"The General Assembly,

"Recalling its previous resolutions on the subject of chemical and bacteriological (biological) weapons, in particular resolution 47/39 of 30 November 1992, adopted without a vote, in which it commended the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, 1/

"Noting that the Convention was opened for signature at a signing ceremony in Paris on 13-15 January 1993,

"Acknowledging the establishment of the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons,

"Noting with satisfaction that one hundred and fifty-nine States have signed the Convention since it was opened for signature,

"Also noting that forty-one States have already ratified the Convention and deposited their instrument of ratification,

"Noting the information provided by the Executive Secretary of the Preparatory Commission to the General Assembly at its fiftieth session,

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1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27 (A/47/27), appendix I.

"1. Welcomes the work done so far by the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons in preparation for entry into force and effective implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and urges the early completion of this work;

"2. Encourages States that have not yet done so to sign the Convention and contribute to the achievement of its universality;

"3. Stresses the particular importance of the early entry into force of the Convention and urges States, particularly those that possess chemical weapons, to ratify it as soon as possible in order to contribute to this end;

"4. Decides to include in the provisional agenda of its fifty-first session an item entitled 'Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction'."

11. On 10 November 1995, the representatives of Cuba, India, Iran (Islamic Republic of) and Pakistan submitted amendments (A/C.1/50/L.54) to draft resolution A/C.1/50/L.14 as follows:

(a) Preambular paragraph 6 was to be replaced with the following:

Noting the information provided by the Executive Secretary of the Preparatory Commission to the General Assembly at its forty-eighth, forty-ninth and fiftieth sessions,

(b) New preambular paragraphs 7 and 8 were to be added as follows:

Aware of difficulties in producing a timetable for the implementation of the Convention as the two largest declared possessors of the chemical weapons have not yet ratified the Convention and that a number of issues remain unresolved,

Reiterating that economic and technological development of States parties shall not be hampered and that restrictions, including those in any international agreement, shall not be maintained among the States parties,

(c) Operative paragraph 1 was to be replaced with the following:

1. Notes the work done so far by the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons in preparation for the entry into force and effective implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and urges the early completion of this work;

(d) A new operative paragraph 3 was to be added as follows:

3. Urges all signatories to participate fully in the work of the Preparatory Commission and to intensify their efforts to resolve outstanding issues, in particular that of removal of existing restrictions in the economic and technological areas.

12. At the 23rd meeting, on 16 November, at the request of the sponsors, draft resolution A/C.1/50/L.14 was withdrawn (see A/C.1/50/PV.23).

13. At the same meeting, the Islamic Republic of Iran, on behalf of the sponsors of the amendments contained in document A/C.1/50/L.54, withdrew those amendments.

III. RECOMMENDATION OF THE FIRST COMMITTEE

14. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are more than one hundred and thirty States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including all the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference, 2/ and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Recalling its resolution 46/35 A, adopted without a vote on 6 December 1991, in which it welcomed, inter alia, the establishment, proceeding from the recommendations of the Third Review Conference, 3/ of an ad hoc group of governmental experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint,

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2/ BWC/CONF.III/23, part II.

3/ See BWC/CONF.III/23.

Recalling also its resolution 48/65, adopted without a vote on 16 December 1993, in which it commended the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint, 4/ agreed to by consensus at its last meeting at Geneva on 24 September 1993,

Recalling further its resolution 49/86, adopted without a vote on 15 December 1994, in which it welcomed the final report of the Special Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, adopted by consensus on 30 September 1994, 5/ in which the States parties agreed to establish an ad hoc group, open to all States parties, whose objective shall be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties,

Recalling the provisions of the Convention related to scientific and technological cooperation and the related provisions of the Final Document of the Third Review Conference, the final report of the Ad Hoc Group of Governmental Experts and the final report of the Special Conference of the States Parties to the Convention, held from 19 to 30 September 1994,

1. Welcomes the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;

2. Also welcomes the work begun by the Ad Hoc Group in pursuing the mandate established by the Special Conference of the States Parties to the Convention on 30 September 1994 and urges the Ad Hoc Group, in accordance with its mandate, to complete its work as soon as possible and submit its report, which shall be adopted by consensus, to the States parties to be considered at the Fourth Review Conference or later at a Special Conference;

3. Requests the Secretary-General to continue to render the necessary assistance to the depository Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Third Review Conference, as well as the decisions contained in the Final Report of the Special Conference, including all necessary assistance to the Ad Hoc Group;

4. Notes that, at the request of the States parties, a Fourth Review Conference of the Parties to the Convention will be held at Geneva from

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4/ BWC/CONF.III/VEREX/9 and Corr.1.

5/ BWC/SPCONF/1.

25 November to 13 December 1996, that, following appropriate consultations, a Preparatory Committee for that Conference has been formed, open to all parties to the Convention, and that the Committee will meet at Geneva from 9 to 12 April 1996;

5. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the Fourth Review Conference and its preparations;

6. Calls upon all signatory States that have not yet ratified the Convention to do so without delay, and also calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

7. Decides to include in the provisional agenda of its fifty-first session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".